



General Assembly

***Proposed Substitute
Bill No. 6737***

January Session, 2015

LCO No. 5162

***AN ACT IMPLEMENTING THE RECOMMENDATIONS OF THE
PROGRAM REVIEW AND INVESTIGATIONS COMMITTEE
CONCERNING TRANSITIONAL SERVICES FOR YOUTH AND YOUNG
ADULTS WITH AUTISM SPECTRUM DISORDER.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Subparagraph (D) of subdivision (8) of subsection (a) of
2 section 10-76d of the general statutes is repealed and the following is
3 substituted in lieu thereof (*Effective July 1, 2015*):

4 (D) Immediately upon the formal identification of any child as a
5 child requiring special education and at each planning and placement
6 team meeting for such child, the responsible local or regional board of
7 education shall inform the parent or guardian of such child or
8 surrogate parent or, in the case of a pupil who is an emancipated
9 minor or eighteen years of age or older, the pupil of (i) the laws
10 relating to special education, (ii) the rights of such parent, guardian,
11 surrogate parent or pupil under such laws and the regulations adopted
12 by the State Board of Education relating to special education, including

13 the right of a parent, guardian or surrogate parent to withhold from
14 enrolling such child in kindergarten, in accordance with the provisions
15 of section 10-184, and (iii) any relevant information and resources
16 relating to individualized education programs created by the
17 Department of Education, including, but not limited to, information
18 relating to secondary transition resources and services for high school
19 students. If such parent, guardian, surrogate parent or pupil does not
20 attend a planning and placement team meeting, the responsible local
21 or regional board of education shall mail such information to such
22 person.

23 Sec. 2. Section 10-76b of the general statutes is repealed and the
24 following is substituted in lieu thereof (*Effective July 1, 2015*):

25 (a) The State Board of Education shall provide for the development
26 and supervision of the educational programs and services for children
27 requiring special education and may regulate curriculum, conditions
28 of instruction, including the use of physical restraint and seclusion
29 pursuant to chapter 814e, physical facilities and equipment, class
30 composition and size, admission of students, and the requirements
31 respecting necessary special services and instruction to be provided by
32 local and regional boards of education. The State Board of Education
33 shall adopt regulations, in accordance with the provisions of chapter
34 54, concerning the use of physical restraint and seclusion pursuant to
35 chapter 814e. The educational aspects of all programs and instructional
36 facilities in any day or residential child-caring agency or school which
37 provides training for children requiring special education and which
38 receives funding from the state under the provisions of sections 10-76a
39 to 10-76g, inclusive, shall be subject to the approval and supervision of
40 the commissioner in accordance with regulations adopted by the State
41 Board of Education concerning requirements for such programs and
42 accommodations.

43 (b) The commissioner shall designate by regulation, subject to the
44 approval of the State Board of Education, the procedures which shall
45 be used to identify exceptional children.

46 (c) Said board shall be the agency for cooperation and consultation
47 with federal agencies, other state agencies and private bodies on
48 matters of public school education of children requiring special
49 education, provided the full responsibilities for other aspects of the
50 care of such children shall be reserved to such other agencies.

51 (d) The State Board of Education shall ensure that local and regional
52 boards of education are providing the information described in
53 subparagraph (D) of subdivision (8) of subsection (a) of section 10-76d,
54 as amended by this act, to the parent or guardian of a child requiring
55 special education or surrogate parent and, in the case of a pupil who is
56 an emancipated minor or eighteen years of age or older, the pupil.

57 Sec. 3. (NEW) (*Effective July 1, 2015*) (a) As used in this section,
58 "parent" means the parent or guardian of a child requiring special
59 education or surrogate parent or, in the case of a pupil who is an
60 emancipated minor or eighteen years of age or older, the pupil.

61 (b) On or before July 1, 2015, the State Board of Education shall draft
62 a written parents' of children receiving special education services bill
63 of rights to guarantee that the rights of such parents and children are
64 adequately safeguarded and protected during the provision of special
65 education and related services under chapter 164 of the general
66 statutes. Such bill of rights shall inform parents of: (1) The right to
67 request consideration of the provision of transitional services only for
68 their son or daughter who is eighteen to twenty-one years of age, (2)
69 the right to receive secondary transition resources and materials from
70 the department and the local or regional board of education
71 responsible for their child, (3) the requirement that the local or regional
72 board of education responsible for their child shall create a student
73 success plan for each student enrolled in a public school, beginning in
74 grade six, pursuant to subsection (j) of section 10-221a of the general
75 statutes, and (4) the right of their child to receive realistic and specific
76 postgraduation goals as part of such child's individualized education
77 program.

78 (c) For the school year commencing July 1, 2015, and each school
79 year thereafter, the Department of Education shall annually distribute
80 the written parents' of children receiving special education services bill
81 of rights in grades six to twelve, inclusive, at a planning and placement
82 team meeting for such child.

83 Sec. 4. (*Effective July 1, 2015*) The Commissioner of Rehabilitation
84 Services, in consultation with the Commissioner of Education, the
85 Commissioner of Mental Health and Addiction Services, the
86 Commissioner of Developmental Services and the Labor
87 Commissioner, or the commissioners' designees, shall develop a
88 proposed definition for "competitive employment" to be used by each
89 agency in relation to state matters. Not later than February 1, 2016, the
90 Commissioner of Rehabilitation Services shall report, in accordance
91 with the provisions of section 11-4a of the general statutes, to the joint
92 standing committees of the General Assembly having cognizance of
93 matters relating to human services, education, public health and labor
94 concerning the definition developed in accordance with this section.

95 Sec. 5. (NEW) (*Effective July 1, 2015*) Not later than February 1, 2016,
96 and annually thereafter, the Commissioner of Developmental Services
97 shall report, in accordance with the provisions of section 11-4a of the
98 general statutes, to the joint standing committee of the General
99 Assembly having cognizance of matters relating to public health
100 concerning the activities of the Department of Developmental Service's
101 Division of Autism Spectrum Disorder Services, established pursuant
102 to section 17a-215c of the general statutes, and the Autism Spectrum
103 Disorder Advisory Council, established pursuant to section 17a-215d
104 of the general statutes. Such report shall include, but not be limited to:
105 (1) The number and ages of persons with autism spectrum disorder
106 who are served by state agencies; (2) the number and ages of persons
107 with autism spectrum disorder on the department's wait list for waiver
108 services; (3) the type of waiver services currently provided by the
109 department to persons with autism spectrum disorder; (4) a
110 description of the unmet needs of persons with autism spectrum
111 disorder; (5) the projected estimates for a five-year period of the costs

112 to the state due to such unmet needs; (6) measurable outcome data for
113 persons with autism spectrum disorder, including, but not limited to,
114 (A) the number of such persons who are enrolled in postsecondary
115 education, (B) the employment status of such persons, and (C) a
116 description of such persons' living arrangements; and (7) a description
117 of new initiatives and proposals for new initiatives that are under
118 consideration.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2015</i>	10-76d(a)(8)(D)
Sec. 2	<i>July 1, 2015</i>	10-76b
Sec. 3	<i>July 1, 2015</i>	New section
Sec. 4	<i>July 1, 2015</i>	New section
Sec. 5	<i>July 1, 2015</i>	New section